

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

112

CWP-3284-2024 (O&M)

Decided on : 14.02.2024

Mahabir Singh

...Petitioner

Versus

State of Haryana and Ors

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Deepak Sonak, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. Learned counsel for the petitioner submits that keeping in view the judgment passed by the Hon'ble Supreme Court of India in case titled as **'The Director (Admn. And HR) KPTCL & Others v. C. P. Mundinamani & Others', AIR 2023 SC 1956**, copy of which has been appended as Annexure P-2, once the petitioner has completed 12 months of service before his retirement, he is entitled for the benefit of increment, which has not been given to him by the respondents-department and such action on the part of the respondents-department is causing prejudice to the petitioner.

Learned counsel for the petitioner further submits that the respondents be directed to release the said increment to the petitioner and revise the pensionary benefits of the petitioner by including the increment and grant the consequential benefits to him.

2. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the Legal Notice dated 07.11.2023 (Annexure P-5) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

3. Notice of motion.
4. On the asking of the Court, Mr. Harish Nain, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the Legal Notice dated 07.11.2023 (Annexure P-5) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of **eight weeks** from the date of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision, the petitioner is found entitled for any benefit, the same will be extended to him within a further period of **four weeks**.
5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.
6. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

14.02.2024

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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *~~Yes~~/No*